

1 MICHAEL J. STEINER (State Bar No. 112079)  
2 JOSHUA E. WHITEHAIR (State Bar No. 244900)  
3 SEVERSON & WERSON  
4 A Professional Corporation  
5 One Embarcadero Center, Suite 2600  
San Francisco, CA 94111  
Telephone: (415) 398-3344  
Facsimile: (415) 956-0439  
[mjs@severson.com](mailto:mjs@severson.com)  
[jew@severson.com](mailto:jew@severson.com)

**7** Attorneys for Defendant  
**WELLS FARGO BANK, N.A.**

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

**11** GUSTAVO REYES and MARIA TERESA GUERRERO, husband and wife, individually  
**12** and on behalf of others similarly situated,

13 Plaintiffs,

14

vs.

15 WELLS FARGO BANK, N.A., a national bank; and DOES 1-100, inclusive,

## Defendants.

Case No.: 3:10-cv-01667-JCS

**STIPULATION AND [PROPOSED]  
ORDER FOR EXTENSION OF TIME  
AS TO DISCOVERY AND FILING  
DEADLINE FOR CLASS  
CERTIFICATION MOTION**

18 WHEREAS, the Court has previously approved two stipulations continuing the deadline for  
19 Defendant to serve supplemental responses to Plaintiffs' first set of written discovery while the Court  
20 considered and decided Defendant's motion to dismiss the First Amended Complaint ("FAC") and so  
21 as to permit Defendant sufficient time to conduct a reasonably diligent search for responsive  
22 information and documents;

WHEREAS, the prior stipulations have also extended the deadline for Plaintiffs to file and serve their motion for class certification to afford Plaintiffs sufficient time to conduct class discovery following receipt of Defendant's supplemental responses;

26 WHEREAS, on January 3, 2011, the Court entered an order granting in part and denying in part  
27 Defendant's motion to dismiss the FAC;

**28** WHEREAS, Defendant reports that it made significant progress in searching for responsive

1 information and documents, including identifying the number of potential putative class members;  
2 nevertheless, Defendant requires a brief two-week extension to complete its research and analysis so  
3 that it may provide formal supplemental responses;

4 WHEREAS, Plaintiffs agree to the extension provided Defendant agrees to, and the Court  
5 approves, a corresponding extension of time to file their motion for class certification.

6 WHEREFORE, the parties agree and hereby stipulate as follows:

- 7 1. That deadline for filing the motion for class certification be extended from May 31, 2011 to  
8 June 14, 2011.  
9 2. That Defendant will serve supplemental discovery responses to the class discovery on or  
10 before February 4, 2011.  
11 3. That Plaintiffs will not file a motion to compel pending review of the supplemental  
12 responses.

13 This stipulation is without prejudice to the rights, claims, defenses and arguments of all parties.

14 DATED: January 24, 2010

LAW OFFICES OF PETER B. FREDMAN  
LAW OFFICES OF DAVID PIVOTRAK

16

By: \_\_\_\_\_ /S/Peter B. Fredman  
Peter B. Fredman

17

Attorneys for Plaintiffs

19

DATED: January 24, 2010

SEVERSON & WERSON  
A Professional Corporation

20

21

By: \_\_\_\_\_ /S/ Joshua E. Whitehair  
Joshua E. Whitehair

22

Attorneys for Defendant

23

PURSUANT TO THE STIPULATION,

24

**IT IS SO ORDERED.**

25

Date: \_\_\_\_\_  
January 25, 2011

